



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Jason Babbitt and
James McAdoo, County Correctional
Police Sergeant (various
jurisdictions)

Examination Appeals

CSC Docket Nos. 2022-444 and 2022-
460

ISSUED: DECEMBER 6, 2021 (ABR)

Jason Babbitt (PC1543A), Morris County and James McAdoo (PC1541A), Middlesex County appeal the promotional examination for County Correctional Police Sergeant (various jurisdictions). These appeals have been consolidated due to common issues presented by the appellants.

The subject examination was administered on May 26, 2021 and consisted of 70 multiple choice questions. It is noted that during the test administration, candidates were provided with two booklets, Booklet A (County Correctional Police Sergeant Supplemental Examination Material) and Booklet B (2021 County Correctional Police Sergeant Examination). Booklet A contained stimulus material and Booklet B contained the exam questions.

An independent review of the issues presented on appeal has resulted in the following findings:

Question 15 states that an inmate committed a major violation and asks which of four options is not an authorized sanction for that inmate under *N.J.A.C. 10A:31-16.6*. The keyed response is option a, “loss of privilege for 45 days.” McAdoo argues that the proper response is option d, “[a]ny sanction prescribed for On-the-Spot Correction.” Here, a review of *N.J.A.C. 10A:31-16.6(b)6* demonstrates that “[a]ny sanction prescribed for On-the-Spot Correction” is an explicitly authorized sanction for major violations. Conversely, *N.J.A.C. 10A:31-16.6(b)3* demonstrates

that a loss of privilege is only authorized for up to 30 days. Thus, the question is correct as keyed.

Question 31 indicates that CO Marino has advised the examinee that something is wrong with Inmate Clarke. CO Marino states that Inmate Clarke was telling him about a letter he had just received from his friend, but was falling asleep in the middle of the conversation. CO Marino reports that he had Inmate Clarke lay down in his cell and asks the examinee if he should do anything else. The prompt then asks what CO Marino should be told to do. The keyed response is option d, to call a code blue for a possible overdose of a controlled dangerous substance (CDS). McAdoo argues that the best answer is option c, to have Inmate Clarke sent to medical to be evaluated. In this regard, he avers that Inmate Clarke should go to the medical unit, but that he could do so without an escort. In the instant matter, Booklet A states that a code blue should be initiated if there is a serious risk to an individual's health, with examples that include "difficulty breathing, fainting, chest pain, uncontrolled bleeding, sudden weakness, etc." Booklet A also notes that a current issue at the facility is the mailing of CDS-laced paper to inmates. Finally, Booklet A provides that there has been an increase of inmate overdoses and that the warden has directed staff to continue to respond quickly when inmates are having a medical emergency. Therefore, the totality of the information suggests a reasonable possibility that Inmate Clarke may have been exposed to a CDS through the paper in the letter he described. The fact that Inmate Clarke is suddenly falling asleep mid-sentence suggests a possible serious risk to his health, akin to fainting. In light of these considerations and the warden's directive to respond quickly to medical emergencies given the increase in overdoses, it is evident that calling a code blue is the best response to the scenario. Accordingly, this question is correct as keyed.

Question 32 states that CO Hunt has called from Housing Unit North Block and advises that she has just received a new inmate from intake who used to be her boyfriend. The question asks for the best way to handle this situation. The keyed response is option a, to have the inmate assigned to a different housing block. McAdoo argues that the correct response is option d, to have CO Marino moved back to intake. Here, it is clear that CO Hunt cannot supervise an inmate who is her ex-boyfriend. It is evident that moving the inmate to intake would only be a temporary solution, while moving the inmate to another housing unit would be a more permanent solution to resolving this issue. Therefore, Question 32 is correct as keyed.

For Question 41, Babbitt selected the keyed response. Accordingly, his appeal of this item is moot.

Question 49 involves Inmate Baier returning to her housing unit from court after meal distribution was completed and informing a CO that she did not receive

lunch as a result. The question asks what action the CO should take. The keyed response is option b, to notify Sergeant Shaeffer, so the inmate can get a meal. McAdoo argues that the best response is option d, to assign a trustee inmate to go to the kitchen to bring Inmate Baier a meal. The Division of Test Development and Analytics (TDA) contacted Subject Matter Experts (SMEs) who have knowledge regarding the performance standards and requirements of the job. The SMEs assert that option b is the best way to handle the situation because it immediately addresses the issue without violating policy. Further, the SMEs aver that option b provides for the greatest accountability because notifying the supervisor will allow the supervisor to subsequently follow up and ensure Inmate Baier received a meal. They contend that option d is problematic because it does not indicate the level of the trustee, meaning that it is unknown whether the trustee in question has the appropriate status level to act as a runner. The Commission agrees with the rationale of the SMEs, particularly as Booklet A notes that trustees with lower level status can assist with meal distribution and act as runners within the housing unit but must remain in their housing unit area. Thus, the Commission agrees that Question 49 is correct as keyed.

CONCLUSION

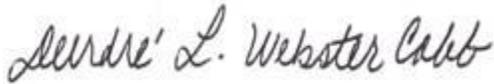
A thorough review of the appellants' submissions and the test materials reveals that the appellants' examination scores are amply supported by the record and the appellants have failed to meet their burdens of proof in this matter.

ORDER

Therefore, it is ordered that these appeals be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 1ST DAY OF DECEMBER 2021



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Allison Chris Myers
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

c: Jason Babbitt (2022-444)
James McAdoo (2022-460)
Division of Test Development and Analytics
Records Center